

AMENDMENTS TO THE DRAWINGS

The attached drawing sheet includes changes to FIGS. 1 and 2. This sheet replaces the original sheet.

Attachment: Replacement sheet

REMARKS

At the outset, the Examiner is thanked for the thorough review and consideration of the pending application. The Office Action dated December 20, 2006 has been received and its contents carefully reviewed. The Examiner is thanked for his acknowledgement of a claim for foreign priority and an indication that certified copies of the priority documents were received by the Office.

Claims 1 and 4 are hereby amended to further clarify the subject matter of the claims. No new matter has been added. Claim 3 is hereby cancelled without prejudice to or disclaimer of the subject matter contained therein. Accordingly, claims 1, 2, and 4-7 are currently pending. Reexamination and reconsideration of the pending claims is respectfully requested.

The Office objects to FIGS. 1 and 2. A replacement sheet, containing figures 1 and 2, was required by the Office. *Office Action* at ¶ 1. Accordingly, an appropriately labeled replacement sheet is attached hereto. FIGS. 1 and 2, on the replacement sheet, are designated with the legend --RELATED ART--. Furthermore, this page is labeled --REPLACEMENT SHEET--. Accordingly, Applicants respectfully request the Office to withdraw its objection to FIGS. 1 and 2.

The Office objects to the Specification. First, the Office objects to the length of the abstract. *Office Action* at ¶ 3. Applicants submit herewith a replacement abstract, which Applicants believe meets the requirements expressed in MPEP § 608.01(b). Accordingly, Applicants respectfully request the Office to withdraw the objection to the abstract.

Second, the Office objects to the title, asserting that the title of the invention is not descriptive. *Office Action* at ¶ 4. Applicants respectfully traverse this objection. The title of the invention currently stands as "Washing Machine Control Method." Claim 1, the only pending independent claim, recites, "A method for controlling a washing machine" Applicants submit that the title is clearly indicative of the invention to which the claims are directed. Accordingly, Applicants respectfully request the Office to withdraw the objection to the title.

The Office rejects claims 1, 3, and 4 under 35 U.S.C. § 112, second paragraph.

Claim 3 is cancelled, accordingly the rejection of that claim is moot. Concerning claim 1, the Office states, "It is unclear how the method is provided with a door, especially." *Office Action* at ¶ 6. Also concerning claim 1, the Office states, "the phrase 'opened/closed' renders the claim(s) indefinite...." *Office Action* at ¶ 8. Further concerning claim 1, the Office asserts there is insufficient antecedent basis for the limitation "the" in "most recently sensed wet laundry amount." *Office Action* at ¶ 9. Concerning claim 4, the Office asserts that the word "an" as in "an abnormal" renders the claims unclear. *Office Action* at ¶ 10. Without necessarily agreeing with the Office, but in a sincere effort to advance the application toward allowance, Applicants have amended claims 1 and 4 to further clarify the subject matter of the claims. Accordingly, Applicants respectfully request the Office to withdraw the various rejections (as set forth in the *Office Action* at ¶¶ 6, 8, 9, and 10) of claims 1 and 4 under 35 U.S.C. § 112, second paragraph.

The Office rejects claims 1 and 3-4 under 35 U.S.C. § 112, second paragraph.

Claim 3 is cancelled, accordingly the rejection of that claim is moot. Concerning the term "abnormal" in claims 1 and 4, "predetermined" in claim 4-6, and "most recently" in claim 1, the Office asserts that these are "relative terms which render the claims indefinite." *Office Action* at ¶¶ 11 & 16. Applicants respectfully traverse this rejection. The terms "abnormal" and "most recently" are used consistently throughout the specification. Applicants assert that even if "abnormal" or "most recently" were relative terms, one of ordinary skill in the art would be fully apprised of the scope of the claim despite their use therein. Nonetheless, without necessarily agreeing with the Office, but in a sincere effort to advance the application toward allowance, Applicants have amended claims 1 and 4 to further clarify the subject matter of the claims. Applicants, however, assert that the term "predetermined" does not render the claims indefinite. The term "predetermined" lends clarity to the claims. It is used consistently throughout the specification. Applicants assert that even if "predetermined" was a relative term, the claims are not indefinite due to its use. One of ordinary skill in the art is fully apprised of the scope of the claim as presently recited; the claims are not amended with respect to the word "predetermined." Accordingly, Applicants respectfully request the Office to withdraw the various rejections (as set forth in the *Office Action* at ¶¶ 11 & 16) of claims 1 and 4 under 35 U.S.C. § 112, second paragraph.

The Office rejects claims 5 and 6 under 35 U.S.C. § 112, second paragraph for various alleged antecedent basis errors. Applicants respectfully traverse these rejections. The Office asserts that in claim 5, the limitation “the” in “end” and “predetermined point” lacks antecedent basis. *Office Action* at ¶ 12. The phrase “*the end of the predetermined time period*,” as recited in claim 5 is not indefinite for use of the word “the.” “A claim is indefinite when it contains words or phrases whose meaning is unclear.” MPEP § 2173.05(e). However, if “the scope of a claim would be reasonably ascertainable by those skilled in the art, then the claim is not indefinite.” *Id.* As there can only be one end of a predetermined time period, identification of that end as “*the end*” is not improper. Concerning “*the predetermined point*,” as recited in claim 5, Applicants direct the Office’s attention to claim 4, from which claim 5 depends. The antecedent basis for “*the predetermined point*” of claim 5 is “*a predetermined point*” as recited in claim 4.

Concerning the limitation “said” in “wash cycle resetting step” of claim 6, Applicants direct the Office’s attention to claim 4, from which claim 6 indirectly depends. The antecedent basis for “said wash cycle resetting step” of claim 6 is “step of: resetting the wash cycle” as recited in claim 4. *See Office Action* at ¶¶ 13 & 15. (Applicants note that *Office Action* ¶¶ 13 & 15 are identical.)

Concerning the limitation of “the” in “the predetermined time period,” as recited in claim 5, Applicants direct the Office’s attention to claim 1, from which claim 5 indirectly depends. The antecedent basis for “the predetermined time period” of claim 5 is “a predetermined time period” as recited in claim 1. *See Office Action* at ¶ 14.

Accordingly, Applicants respectfully request the Office to withdraw the various rejections (as set forth in the *Office Action* at ¶¶ 12-15) of claims 5 and 6 under 35 U.S.C. § 112, second paragraph.

The Office rejects claims 1 to 7 under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 5,768,728 to Harwood *et al.* (hereinafter “*Harwood*”). Claim 3 is cancelled, accordingly the rejection of that claim is moot. Applicants respectfully traverse the rejection of the remaining claims.

As stated in Chapter 2131 of the MPEP, “A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference.” Applicants respectfully submit that *Harwood* does not describe, either expressly or inherently, each and every element recited in independent claim 1. Therefore, *Harwood* cannot anticipate claim 1, and cannot anticipate claims 2 and 4-7, which depend either directly or indirectly from claim 1.

Harwood fails to teach, at least, “sensing a first wet laundry amount after initiating a wash cycle of a wash course; sensing a second wet laundry amount upon detection of an open state of the door during a predetermined time period following the initiation of the wash cycle; and controlling the wash course based on [the point in time the open state of the door is detected],” as recited in independent claim 1. (Emphasis added.) *Harwood* relates to:

A laundry washing machine in which a suitable level of water is automatically determined for any particular load size. The machine is operated to first determine an initial estimation of the clothes load and to then fill to a water level suitable to the initial load estimation. The machine is then operated in such a way to check if the estimated water level is actually sufficient for the clothes load, essentially by determining the resulting load on the laundry machine motor. If the water level is found to be insufficient, then more water is added before the checking routine is carried out once again. When the water level is determined to be suitable for the clothes load, washing is commenced.

Harwood at Abstract (emphasis added). *Harwood* plainly describes a method of determining a suitable fluid level before a wash cycle begins. It does not, describe that control of a washing machine is changeable according to the point in time, after the wash cycle has begun, that the door is detected as being opened. Even if, for the sake of argument, *Hardwood* did sense a wet laundry amount after the wash cycle had begun, it does not describe control of the wash course based on the wet laundry amount sensed after the initiation of the wash cycle.

The Office asserts that *Harwood* describes “sens[ing] an initial dry [*sic*] laundry amount after initiating a wash cycle, sens[ing] a second wet laundry amount upon detection of an abnormal open state of the door during the wash cycle (Column 9, Lines 25-40), and control[ing] the wash course based on the sensed second wet laundry amount.” *Office Action* at ¶ 19. Applicants disagree. *Harwood* describes a “routine” that occurs before a wash cycle can

commence. The routine (*i.e.*, the steps of his method) may be used to determine if the water level is suitable for the commencement of a wash cycle. *Harwood* at Abstract; FIG. 1; col. 5:44 - col. 9:24. *Harwood's* method steps are not performed "after initiating a wash cycle" and they do not "control[] the wash course," as recited in independent claim 1. Steps 1-8 of *Harwood's* method precede the final step, illustrated in block 9 of FIG. 1, of "wash cycle commences." *Harwood* at FIG. 1 (ref. nos. 1-8 occur before ref. no. 9); col. 5:44 - col. 9:24. Only after each of the method steps of *Harwood* are performed and the correct level of water has been achieved, can "the washing cycle [be] commenced in the known way at block 9 of FIG. 1." *Id.* at col. 9:14-16. Furthermore, *Harwood* fails to describe the conditional relationship of "controlling the wash course based on: the first wet laundry amount if the open state of the door is not detected during the predetermined time period, or the second wet laundry amount if the open state of the door is detected during the predetermined time period," as recited in independent claim 1. (Emphasis added.)

For at least the aforementioned reasons, Applicants respectfully submit that claim 1 is patentably distinguishable over *Harwood*, and request that the rejection of claim 1 under 35 U.S.C. § 102(b) be withdrawn. Likewise, claims 2 and 4-7, which depend, either directly or indirectly from claim 1, are also patentable for at least the same reasons.

Applicants believe the foregoing amendments place the application in condition for allowance and early, favorable action is respectfully solicited.

If for any reason the Examiner finds the application other than in condition for allowance, the Examiner is requested to call the undersigned attorney at (202) 496-7500 to discuss the steps necessary for placing the application in condition for allowance. All correspondence should continue to be sent to the below-listed address.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. § 1.136, and any additional fees required under 37 C.F.R. § 1.136 for any necessary extension of time, or any other fees required to complete the filing of this response, may be charged to Deposit Account No. 50-0911. Please credit any overpayment to deposit Account No. 50-0911. A duplicate copy of this sheet is enclosed.

Dated: March 20, 2007

Respectfully submitted,

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Attachment: Replacement sheet (FIGS. 1 & 2).